

No. 1984-230

## AN ACT

HB 281

Amending Titles 18 (Crimes and Offenses) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for the prohibition of certain sexual spousal relationships; changing provisions relating to theft of services; adding the offense of deception relating to certification of minority or women's business enterprise; providing for the offense of cruelty to animals; prohibiting possession, use or attempted use of certain bullets; and providing for the disposition of certain fines.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Sections 3101, 3103 and 3121 of Title 18 of the Pennsylvania Consolidated Statutes are amended to read:

§ 3101. Definitions.

Subject to additional definitions contained in subsequent provisions of this chapter which are applicable to specific provisions of this chapter, the following words and phrases when used in this chapter shall have, unless the context clearly indicates otherwise, the meanings given to them in this section:

"Deviate sexual intercourse." Sexual intercourse per os or per anus between human beings who are not husband and wife, *except as provided in section 3128 (relating to spousal sexual assault)*, and any form of sexual intercourse with an animal.

"Indecent contact." Any touching of the sexual or other intimate parts of the person for the purpose of arousing or gratifying sexual desire, in either person.

"Sexual intercourse." In addition to its ordinary meaning, includes intercourse per os or per anus, with some penetration however slight; emission is not required.

§ 3103. Spouse relationships.

**[Whenever] Except as provided in section 3128 (relating to spousal sexual assault), whenever** in this chapter the definition of an offense excludes conduct with a spouse, the exclusion shall be deemed to extend to persons living as man and wife, regardless of the legal status of their relationship: Provided, however, That the exclusion shall be inoperative as respects spouses living in separate residences, or in the same residence but under terms of a written separation agreement or an order of a court of record. Where the definition of an offense excludes conduct with a spouse, this shall not preclude conviction of a spouse as accomplice in a sexual act which he or she causes another person, not within the exclusion, to perform.

§ 3121. Rape.

A person commits a felony of the first degree when he engages in sexual intercourse with another person not his spouse:

- (1) by forcible compulsion;
- (2) by threat of forcible compulsion that would prevent resistance by a person of reasonable resolution;
- (3) who is unconscious; or
- (4) who is so mentally deranged or deficient that such person is incapable of consent.

*Whenever the term "rape" is used in this title or any other title, it is deemed to include spousal sexual assault as further defined in section 3128 (relating to spousal sexual assault).*

Section 2. Title 18 is amended by adding a section to read:

§ 3128. *Spousal sexual assault.*

(a) *Sexual assault.*—*A person commits a felony of the second degree when that person engages in sexual intercourse with that person's spouse:*

- (1) *by forcible compulsion;*
- (2) *by threat of forcible compulsion that would prevent resistance by a person of reasonable resolution; or*
- (3) *who is unconscious.*

(b) *Involuntary spousal deviate sexual intercourse.*—*A person commits a felony of the second degree when that person engages in deviate sexual intercourse with that person's spouse:*

- (1) *by forcible compulsion;*
- (2) *by threat of forcible compulsion that would prevent resistance by a person of reasonable resolution; or*
- (3) *who is unconscious.*

(c) *Crime to be reported.*—*The crime of spousal sexual assault shall be personally reported by the victim or her agent to a law enforcement agency having the requisite jurisdiction within 90 days of the commission of the offense.*

Section 3. Section 3926 of Title 18 is amended to read:

§ 3926. *Theft of services.*

(a) *Acquisition of services.*—

(1) A person is guilty of theft if he intentionally obtains services for himself or for another which he knows are available only for compensation, by deception or threat, by altering or tampering with the public utility meter or measuring device by which such services are delivered or by causing or permitting such altering or tampering, *by making or maintaining any unauthorized connection, whether physically, electrically or inductively, to a distribution or transmission line, by attaching or maintaining the attachment of any unauthorized device to any cable, wire or other component of an electric, telephone or cable television system or to a television receiving set connected to a cable television system, by making or maintaining any unauthorized modification or alteration to any device installed by a cable television system,* or by false token or other trick or artifice to avoid payment for the service.

(2) As used in this section, the word "service" includes, but is not limited to, labor, professional service, transportation service, the supplying of hotel accommodations, restaurant services, entertainment, *cable*

*television service*, the supplying of equipment for use, and the supplying of commodities of a public utility nature such as gas, electricity, steam and water, and telephone service. *The term "unauthorized" means that payment of full compensation for service has been avoided, or has been sought to be avoided, without the consent of the supplier of the service.*

*(3) A person is not guilty of theft of cable television service under this section who subscribes to and receives service through an authorized connection of a television receiving set at his dwelling and, within his dwelling, makes an unauthorized connection of an additional television receiving set or sets or audio system which receives only basic cable television service obtained through such authorized connection.*

[(3)] (4) Where compensation for service is ordinarily paid immediately upon the rendering of such service, as in the case of hotels and restaurants, refusal to pay or absconding without payment or offer to pay gives rise to a presumption that the service was obtained by deception as to intention to pay.

(b) Diversion of services.—A person is guilty of theft if, having control over the disposition of services of others to which he is not entitled, he knowingly diverts such services to his own benefit or to the benefit of another not entitled thereto.

(c) Grading.—

(1) An offense under this section constitutes a summary offense when the value of the services obtained or diverted is less than \$50.

(2) When the value of the services obtained or diverted is \$50 or more, the grading of the offense shall be as established in section 3903 (relating to grading of theft offenses).

(3) Amounts involved in theft of services committed pursuant to one scheme or course of conduct, whether from the same person or several persons, may be aggregated in determining the grade of the offense.

(d) **[Inference from using nonmetered utility service] Inferences.**—

(1) Any person having possession of or access to the location of a public utility meter or service measuring device which has been avoided or tampered with so as to inhibit or prevent the accurate measurement of utility service and who enjoys the use of or receives the benefit from the public utility service intended to be metered or measured by the public utility meter or measuring device so avoided or tampered with may be reasonably inferred to have acted to avoid or tamper with the public utility meter or measuring device with the intent to obtain the public utility service without making full compensation therefor.

(2) *Any person having possession of or access to the location of the distribution or transmission lines or other facilities of a cable television system which have been tapped, altered or tampered with or to which any unauthorized connection has been made or to which any unauthorized device has been attached or any person having possession of or access to any device installed by a cable television system to which an unauthorized modification or alteration has been made, the result of which tapping, altering, tampering, connection, attachment or modification is to avoid*

*payment for all or any part of the cable television service for which payment is normally required, and who enjoys the use of or receives the benefit from the cable television service, may be reasonably inferred to have acted to have tapped, altered, tampered with, connected or attached to or modified cable television facilities with the intent to obtain cable television service without making full compensation therefor. This inference shall not apply to the act of a subscriber to cable television service, who receives service through an authorized connection of a television receiving set at his dwelling, in making, within his dwelling, an unauthorized connection of an additional television receiving set or sets or audio system which receives only basic cable television service obtained through such authorized connection.*

(e) Sale or transfer of device or plan intended for acquisition or diversion.—A person is guilty of a misdemeanor of the third degree if he sells, gives or otherwise transfers to others or offers, advertises or exposes for sale to others, any device [or], *kit*, plan or other instructional procedure for the making of such device or [other instructional procedure] a printed circuit, under circumstances indicating his having knowledge or reason to believe that such device, *kit*, plan or instructional procedure is intended for use by such others for the acquisition or diversion of services as set forth in subsections (a) and (b).

Section 4. Title 18 is amended by adding a section to read:

§ 4107.2. *Deception relating to certification of minority business enterprise or women's business enterprise.*

(a) *Offense defined.*—A person commits a felony of the third degree if, in the course of business, he:

(1) *Fraudulently obtains or retains certification as a minority business enterprise or a women's business enterprise.*

(2) *Willfully makes a false statement, whether by affidavit, report or other representation, to an official or employee of a public body for the purpose of influencing the certification or denial of certification of any business entity as a minority business enterprise or a women's business enterprise.*

(3) *Willfully obstructs or impedes any agency official or employee who is investigating the qualifications of a business entity which has requested certification as a minority business enterprise or a women's business enterprise.*

(4) *Fraudulently obtains public moneys reserved for or allocated or available to minority business enterprises or women's business enterprises.*

(b) *Definitions.*—As used in this section the following words and phrases shall have the meanings given to them in this subsection:

"*Certification.*" A determination made by a public body that a business entity is a minority business enterprise or a women's business enterprise for whatever purpose.

"*Control.*" The exclusive or ultimate and sole control of the business including, but not limited to, capital investment and all other financial, property, acquisition, contract negotiation, legal matters, officer-director-

*employee selection and comprehensive hiring, operating responsibility, cost-control matters, income and dividend matters, financial transactions and rights of other shareholders or joint partners. Control shall be real, substantial and continuing not pro forma. Control shall include the power to direct or cause the direction of the management and policies of the business and to make the day-to-day as well as major decisions in matters of policy, management and operations. Control shall be exemplified by possessing the requisite knowledge and expertise to run the particular business and control shall not include simple majority or absentee ownership. Further, control by a socially and economically disadvantaged individual or woman shall not be deemed to exist in any case where any nonminority owner or employee of the business is disproportionately responsible for the operation of the firm.*

*“Minority business enterprise.” A small business concern which is:*

*(1) A sole proprietorship, owned and controlled by a socially and economically disadvantaged individual.*

*(2) A partnership or joint venture controlled by socially and economically disadvantaged individuals in which 51% of the beneficial ownership interest is held by socially and economically disadvantaged individuals.*

*(3) A corporation or other entity controlled by socially and economically disadvantaged individuals in which at least 51% of the voting interest and 51% of the beneficial ownership interest are held by socially and economically disadvantaged individuals.*

*“Public body.” A department, bureau, agency, commission or other instrumentality of the Commonwealth, political subdivision, municipal authority or any wholly or partially owned government corporation which enters into contracts.*

*“Socially and economically disadvantaged individuals.” Persons who are citizens of the United States and who are Black Americans, Hispanic Americans, Native Americans, Asian-Pacific Americans, women and other minorities or persons found to be disadvantaged by the Small Business Administration pursuant to the Small Business Act (15 U.S.C. § 631 et seq.).*

*“Women’s business enterprise.” A small business concern which is at least 51% owned and controlled by women, or, in the case of any publicly owned business, at least 51% of the stock of which is owned by one or more women and whose management and daily business operations are controlled by one or more of the women who own it.*

Section 5. Section 5511 of Title 18 is amended to read:

§ 5511. Cruelty to animals.

(a) Killing, maiming or poisoning domestic animals or zoo animals, etc.—

(1) A person commits a misdemeanor of the second degree if he willfully and maliciously kills, maims or disfigures any domestic animal of another person or any zoo animal in captivity, or willfully and maliciously, administers poison to any such domestic or zoo animal, or exposes any poisonous substance, with intent that the same shall be taken or swallowed by animals, fowl or birds.

**[(2) This subsection shall not apply to the killing of any animal taken or found in the act of actually destroying any domestic animal or domestic fowl nor to such reasonable activity as may be undertaken in connection with vermin control or pest control.**

**(3) As used in this subsection, the following terms shall have the meanings given to them in this paragraph:**

**“Domestic animal.” Any dog, cat, equine animal, bovine animal, sheep, goat or porcine animal.**

**“Domestic fowl.” Any avis raised for food, hobby or sport.**

**“Zoo animal.” Any member of the class of mammalia, aves, amphibia or reptilia which is kept in a confined area by a public body or private individual for purposes of observation by the general public.]**

**(2) This subsection shall not apply to:**

**(i) the killing of any animal taken or found in the act of actually destroying any domestic animal or domestic fowl;**

**(ii) the killing of any animal pursuant to section 717 or 718 of the act of June 3, 1937 (P.L.1225, No.316), known as The Game Law; or**

**(iii) such reasonable activity as may be undertaken in connection with vermin control or pest control.**

**(b) Regulating certain actions concerning fowl or rabbits.—A person commits a summary offense if he sells, offers for sale, barter, or gives away baby chickens, ducklings, or other fowl, under one month of age, or rabbits under two months of age, as pets, toys, premiums or novelties or [to color, dye, stain or] if he colors, dyes, stains or otherwise [change] changes the natural color of baby chickens, ducklings or other fowl, or rabbits or [to bring or transport] if he brings or transports the same into this Commonwealth[: Provided, That this] . This section shall not be construed to prohibit the sale or display of such baby chickens, ducklings, or other fowl, or such rabbits, in proper facilities by persons engaged in the business of selling them for purposes of commercial breeding and raising.**

**(c) Cruelty to animals.—A person commits a summary offense if he wantonly or cruelly illtreats, overloads, beats [or], otherwise abuses any animal, or neglects any animal as to which he has a duty of care, whether belonging to himself or otherwise, or abandons any animal, or deprives any animal of necessary sustenance, drink, shelter or veterinary care, or access to clean and sanitary shelter which will protect the animal against inclement weather and preserve the animal's body heat and keep it dry, or keeps or uses, or in any way is connected with, or interested in the management of, or receives money for the admission of any person to any place kept or used for the purpose of fighting or baiting any bull, bear, dog, cock or other creature, or encourages, aids or assists therein, or permits or suffers any place to be so kept or used. This subsection shall not apply to activity undertaken in normal agricultural operation.**

**(d) Selling or using disabled horse.—A person commits a summary offense if he offers for sale or sells any horse, which by reason of debility, disease or lameness, or for other cause, could not be worked or used without violating the laws against cruelty to animals, or leads, rides [or], drives or**

*transports* any such horse for any purpose, except that of conveying the **[animal to a proper place] horse to the nearest available appropriate facility** for its humane keeping or **[killing] destruction** or for medical or surgical treatment.

(e) Transporting animals in cruel manner.—A person commits a summary offense if he carries, or causes, or allows to be carried in or upon any cart, or other vehicle whatsoever, any animal in a cruel or **[inhuman] inhumane** manner. The person taking him into custody may take charge of the animal and of any such vehicle and its contents, and deposit the same in some safe place of custody, and any necessary expenses which may be incurred for taking charge of and keeping the same, and sustaining any such animal, shall be a lien thereon, to be paid before the same can lawfully be recovered, or the said expenses or any part thereof remaining unpaid may be recovered by the person incurring the same **[of] from** the owner of said creature in any action therefor.

For the purposes of this section, it shall not be deemed cruel or **[inhuman] inhumane** to transport live poultry in crates so long as not more than 15 pounds of live poultry are allocated to each cubic foot of space in the crate.

(f) Hours of labor of animals.—A person commits a summary offense if he leads, drives, rides or works or causes or permits any other person to lead, drive, ride or work any horse, mare, mule, ox, or any other animal, whether belonging to himself or in his possession or control, for more than 15 hours in any 24 hour period, or more than 90 hours in any one week.

Nothing in this subsection contained shall be construed to warrant any persons leading, driving, riding or walking any animal a less period than 15 hours, when so doing shall in any way violate the laws against cruelty to animals.

(g) Cruelty to cow to enhance appearance of udder.—A person commits a summary offense if he kneads or beats or pads the udder of any cow, or willfully allows it to go un milked for a period of 24 hours or more, for the purpose of enhancing the appearance or size of the udder of said cow, or by a muzzle or any other device prevents its calf, if less than six weeks old, from obtaining nourishment, and thereby relieving the udder of said cow, for a period of 24 hours.

(h) Cropping ears of dog; prima facie evidence of violation.—A person commits a summary offense if he crops or cuts off, or causes or procures to be cropped or cut off, the whole, or part of the ear or ears of a dog or shows or exhibits or procures the showing or exhibition of any dog whose ear is or ears are cropped or cut off, in whole or in part, unless the person showing such dog has in his possession either a certificate of veterinarian stating that such cropping was done by the veterinarian or a certificate of registration from a county treasurer, showing that such dog was cut or cropped before this section became effective.

The provisions of this section shall not prevent a veterinarian from cutting or cropping the whole or part of the ear or ears of a dog when such dog is anesthetized, and shall not prevent any person from causing or procuring such cutting or cropping of a dog's ear or ears by a veterinarian.

The possession by any person of a dog with an ear or ears cut off or cropped and with the wound resulting therefrom unhealed, or any such dog being found in the charge or custody of any person or confined upon the premises owned by or under the control of any person, shall be prima facie evidence of a violation of this subsection by such person except as provided for in this subsection.

The owner of any dog whose ear or ears have been cut off or cropped before this section became effective may, if a resident of this Commonwealth, register such dog with the treasurer of the county where he resides, and if a nonresident of this Commonwealth, with the treasurer of any county of this Commonwealth, by certifying, under oath, that the ear or ears of such dog were cut or cropped before this section became effective, and the payment of a fee of \$1 into the county treasury. The said treasurer shall thereupon issue to such person a certificate showing such dog to be a lawfully cropped dog.

(i) Power to [make arrests] *initiate criminal proceedings.*—[Any policeman or any agent of any society or association for the prevention of cruelty to animals duly incorporated under the laws of this Commonwealth, shall, upon his own view of any offense under this section, make an arrest, and bring before a justice of the peace the offender found violating said provisions, and any policeman or any agent of any society, as aforesaid, shall also make arrests of such offenders on warrants duly issued according to law, when such offense is not committed in view of said officer, or agent and in addition to such powers, such policeman or agent is authorized and shall have standing to request any court of competent jurisdiction to enjoin any violation of this section.] *If an agent of any society or association for the prevention of cruelty to animals, incorporated under the laws of the Commonwealth, views a violation of this section, he shall have the same powers to initiate criminal proceedings provided for police officers by the Pennsylvania Rules of Criminal Procedure. If an agent of any society or association for the prevention of cruelty to animals, incorporated under the laws of the Commonwealth, does not view but receives information concerning a violation of this section which constitutes a summary offense, he may institute criminal proceedings by filing a citation with the appropriate issuing authority. The agent shall not issue a summary citation to a defendant unless the violation is viewed by the agent.*

(j) Seizure of animals kept for baiting or fighting.—Any agent of a society or association for the prevention of cruelty to animals incorporated under the laws of this Commonwealth, shall have power to seize any bull, bear, dog, cock, or other creature, kept, used, or intended to be used for the purpose of fighting or baiting, and to sell the same. The proceeds therefrom shall be paid to the treasurer of the municipality in which such offense occurred. When the seizure is made, the animal or animals so seized shall not be deemed absolutely forfeited, but shall be held by the officer seizing the same until a conviction of some person is first obtained for keeping or using, or being connected with or interested in the management of any place used for fighting or baiting animals, and the animal or creature seized shall have been



found on the premises which are the subject of the complaint. The agent making such seizure shall make due return to the justice of the peace before whom the complaint is heard, of the number and kind of animals or creatures so seized by him, and it shall be the duty of the justice of the peace hearing the complaint, in case of a conviction, to make the forfeiture of such animals or creatures seized a part of the sentence.

(k) Killing homing pigeons.—A person commits a summary offense if he shoots, maims or kills any antwerp or homing pigeon, either while on flight or at rest, or detains or entraps any such pigeon which carries the name of its owner.

(l) Search warrants.—**[Any justice of the peace, on proof of demand and oath of any policeman or any agent of any society or association for the prevention of cruelty to animals duly incorporated under the laws of this Commonwealth on his belief based on probable cause, that an act of cruelty to animals is being committed in any building, barn or enclosure, is authorized to issue a search warrant to any of the said officers to make search of the said premise, and to forthwith arrest offenders found committing acts of cruelty, and bring them before said justice of the peace for trial; providing for the care of animals so found to be neglected and starving and if necessary to remove them from the premises for that purpose, and for the humane destruction of any animal disabled, diseased or injured beyond reasonable hope of recovery, the costs thereof to be paid by the owner; authorizing a lien on said animals for expenses or keep and care, or action against the owner to cover the same: Provided, That no search warrant shall be issued under the provisions of this section which shall authorize any policeman, or agent or other person to enter upon or search premises where scientific research work is being conducted by, or under the supervision of, graduates of duly accredited scientific schools or where biological products are being produced for the care or prevention of disease.]** *Where a violation of this section is alleged, any issuing authority may, in compliance with the applicable provisions of the Pennsylvania Rules of Criminal Procedure, issue to any police officer or any agent of any society or association for the prevention of cruelty to animals duly incorporated under the laws of this Commonwealth a search warrant authorizing the search of any building or any enclosure in which any violation of this section is occurring or has occurred, and authorizing the seizure of evidence of the violation including, but not limited to, the animals which were the subject of the violation. Where an animal thus seized is found to be neglected or starving, the police officer or agent is authorized to provide such care as is reasonably necessary, and where any animal thus seized is found to be disabled, injured or diseased beyond reasonable hope of recovery, the police officer or agent is authorized to provide for the humane destruction of the animal. The cost of the keeping, care and destruction of the animal shall be paid by the owner thereof and claims for the costs shall constitute a lien upon the animal. In addition to any other penalty provided by law, the authority imposing sentence upon a conviction for any violation of this section may require that the owner pay the cost of the keeping, care and destruction of the animal. No search warrant shall be*

issued based upon an alleged violation of this section which authorizes any police officer or agent or other person to enter upon or search premises where scientific research work is being conducted by, or under the supervision of, graduates of duly accredited scientific schools or where biological products are being produced for the care or prevention of disease.

(m) *Forfeiture.*—In addition to any other penalty provided by law, the authority imposing sentence upon a conviction for any violation of this section may order the forfeiture or surrender of any abused, neglected or deprived animal of the defendant to any society or association for the prevention of cruelty to animals duly incorporated under the laws of this Commonwealth.

(n) *Skinning of and selling or buying pelts of dogs and cats.*—A person commits a summary offense if he skins a dog or cat or offers for sale or exchange or offers to buy or exchange the pelt or pelts of any dog or cat.

(o) *Representation of humane society by attorney.*—Upon prior authorization and approval by the district attorney of the county in which the proceeding is held, an association or agent may be represented in any proceeding under this section by any attorney admitted to practice before the Supreme Court of Pennsylvania and in good standing. Attorney's fees shall be borne by the humane society or association which is represented.

(p) *Applicability of section.*—This section shall not apply to, interfere with or hinder any activity which is authorized or permitted pursuant to The Game Law.

(q) *Definitions.*—As used in this section the following words and phrases shall have the meanings given to them in this subsection:

“Domestic animal.” Any dog, cat, equine animal, bovine animal, sheep, goat or porcine animal.

“Domestic fowl.” Any avis raised for food, hobby or sport.

“Normal agricultural operation.” Normal activities, practices and procedures that farmers adopt, use or engage in year after year in the production and preparation for market of poultry, livestock and their products in the production and harvesting of agricultural, agronomic, horticultural, silvicultural and aquicultural crops and commodities.

“Zoo animal.” Any member of the class of mammalia, aves, amphibia or reptilia which is kept in a confined area by a public body or private individual for purposes of observation by the general public.

Section 6. Title 18 is amended by adding a section to read:

§ 6121. *Certain bullets prohibited.*

(a) *Offense defined.*—It is unlawful for any person to possess, use or attempt to use a KTW teflon-coated bullet or other armor-piercing ammunition while committing or attempting to commit a crime of violence as defined in section 6102 (relating to definitions).

(b) *Grading.*—An offense under this section constitutes a felony of the third degree.

(c) *Sentencing.*—Any person who is convicted in any court of this Commonwealth of a crime of violence and who uses or carries, in the commission of that crime, a firearm loaded with KTW ammunition or any person who

*violates this section shall, in addition to the punishment provided for the commission of the crime, be sentenced to a term of imprisonment for not less than five years. Notwithstanding any other provision of law, the court shall not suspend the sentence of any person convicted of a crime subject to this subsection nor place him on probation nor shall the term of imprisonment run concurrently with any other term of imprisonment including that imposed for the crime in which the KTW ammunition was being used or carried. No person sentenced under this subsection shall be eligible for parole.*

*(d) Definition.—As used in this section the term “armor-piercing ammunition” means ammunition which, when or if fired from any firearm as defined in section 6102 that is used or attempted to be used in violation of subsection (a) under the test procedure of the National Institute of Law Enforcement and Criminal Justice Standard for the Ballistics Resistance of Police Body Armor promulgated December 1978, is determined to be capable of penetrating bullet-resistant apparel or body armor meeting the requirements of Type IIA of Standard NILECJ-STD-0101.01 as formulated by the United States Department of Justice and published in December of 1978.*

Section 7. Section 3573(c) of Title 42 is amended to read:  
§ 3573. Municipal corporation portion of fines, etc.

\* \* \*

(c) Summary offenses.—Fines forfeited, recognizances and other forfeitures imposed, lost or forfeited under the following provisions of law shall, when any such offense is committed in a municipal corporation, be payable to such municipal corporation:

(1) Under the following provisions of Title 18 (relating to crimes and offenses):

Section 2709 (relating to harassment).

Section 3304 (relating to criminal mischief).

Section 3503 (relating to criminal trespass).

Section 3929 (relating to retail theft).

Section 4105 (relating to bad checks).

Section 5503 (relating to disorderly conduct).

Section 5505 (relating to public drunkenness).

Section 5511[(c), (d) and (f)] (relating to cruelty to animals).

Section 6308 (relating to purchase, consumption, possession or transportation of intoxicating beverages).

Section 6501 (relating to scattering rubbish).

(2) Section 13, act of January 24, 1966 (1965 P.L.1535, No.537), known as the “Pennsylvania Sewage Facilities Act.”

\* \* \*

Section 8. (a) Sections 3<sup>1</sup> and 6 of this act shall take effect immediately.

<sup>1</sup> “1” in enrolled bill.

(b) The remainder of this act shall take effect in 60 days.

APPROVED—The 21st day of December, A. D. 1984.

DICK THORNBURGH